

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>TORIN MALONE SMITH</b>	:	
<b>and</b>	:	<b>CIVIL ACTION</b>
<b>AMANDA GERACI</b>	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>PHILADELPHIA POLICE OFFICER</b>	:	
<b>JOHN DOE</b>	:	
<b>and</b>	:	
<b>CITY OF PHILADELPHIA</b>	:	<b>No. 21-5241</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 17<sup>th</sup> day of **August 2022**, upon consideration of Defendant City of Philadelphia's Motion to Dismiss (ECF Doc. No. 3) and Plaintiffs Torin Malone Smith and Amanda Geraci's response thereto, it is hereby **ORDERED** that the Motion (ECF Doc. No. 3) is **GRANTED** without prejudice with leave for Plaintiffs to amend should they be able to plead sufficient facts to state a municipal liability claim by September 19, 2022.

**BY THE COURT:**



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**Berle M. Schiller, J.**